

AGENDA
PERSONNEL BOARD MEETING

March 9, 2007
9:30 a.m.

1. Call to Order
2. Reading of the Minutes of Regular Meeting held February 9, 2007
Minutes Signed
3. Executive Director and Secretary's Report
4. Report of the Personnel Cabinet
5. **Petitioned Position(s)** – None
6. **Oral Arguments**
 - A. Cherilyn Allen v. Cabinet for Health and Family Services (Request by Appellant)
 - B. Goble Cantrell v. Department of Corrections (Request by Appellant)
 - C. Kyle Howard and James Stevens v. Cabinet for Health and Family Services
(Request by Appellee)
7. **Motions**
 - A. Lenny Ausbrooks v. Transportation Cabinet and Marjorie Ann Stewart
(Deferred from February meeting)
 - Motion for Personnel Board to Enforce Order
 - Motion for Stay filed by Intervenor in Franklin Circuit Court
 - Appellee's Response to Motion to Enforce
8. **Closed Session**
9. **Cases to be Decided**
 - A. Cherilyn Allen v. Cabinet for Health and Family Services (dismissal,
satisfactory performance of duties – appeal dismissed)
 - Appellant's Exceptions and Request for Oral Argument
 - Appellee's Response to Exceptions

- B. Goble Cantrell v. Department of Corrections (dismissal, served with warrant – appeal sustained)
 - Appellee's **Motion** for Enlargement of Time to File Exceptions (Moot)
 - Appellee's Exceptions and Request for Oral Argument
 - Appellant's Response to Exceptions
- C. Kyle Howard and James Stevens v. Cabinet for Health and Family Services (Dismissal, misconduct and lack of good behavior – appeals sustained)
 - Appellee's Exceptions and Request for Oral Argument
- D. Ruth Walker v. Cabinet for Health and Family Services – 2 appeals – (Involuntary resignation, disability discrimination – appeal dismissed)
 - (Deferred from February meeting)**
 - Appellant's Exceptions and Request for Oral Argument
 - Appellee's Response to Exceptions
- E. Gary Gardner v. Department of Juvenile Justice (Restoration of sick leave used due to alleged harassment – appeal dismissed)
 - Appellant's Exceptions
 - Appellant's Addendum to Exceptions
 - *** --Appellee's Response to Exceptions
- F. Carla Peak v. Department of Corrections and Personnel Cabinet (resigned while on work comp leave, removed from Internal Mobility registers – appeal dismissed)
 - Appellant's Exceptions
 - Appellee Personnel Cabinet's Response to Exceptions
 - Appellee Justice Cabinet's Response to Exceptions
- G. Jacqueline Brooks v. Cabinet for Health and Family Services (dismissal; denied Family Medical Leave – appeal dismissed)
- H. David Curtis and Edwin Wickliffe v. Department of Agriculture
*** **(MOVED TO APRIL AGENDA)**
- I. Frank Derr v. Department of Juvenile Justice (Dismissal, misconduct, sexual harassment – appeal sustained to the extent that dismissal is changed to 30-day suspension)
- J. Jimmy Farley v. Administrative Office of the Courts (Dismissal – appeal dismissed, no jurisdiction)
- K. Brenda Hendrix v. Education Cabinet (Discrimination – appeal dismissed)
- L. Lisa Hulette v. Department of Corrections and Miranda Purvis (Promotion –

- appeal dismissed)
- M. Linda Merritt v. Cabinet for Health and Family Services (demotion for misconduct – appeal dismissed)
- N. Carlos Spicer, Jr. v. Environmental and Public Protection Cabinet (Salary adjustment, based on updating application – appeal dismissed)
- O. David Tucker v. Department of Veterans’ Affairs (2-day suspension for poor work performance – appeal dismissed)

Show Cause Orders – No Response Filed – Appeals Dismissed

- P. Pamela Embrey v. Education Cabinet
- Q. Wesley Johnson v. Department of Veterans’ Affairs

10. Withdrawals

- A. Michael Antosh v. Department of Corrections
- B. Tina Babbs v. Cabinet for Health and Family Services
- C. Patricia Bunt v. Department of Corrections
- D. Larry Caudill v. Cabinet for Health and Family Services and Personnel Cabinet
- E. Eric Dodson v. Personnel Cabinet
- F. Jeffrey Downey v. Cabinet for Health and Family Services
- G. Tina Graves v. Department of Juvenile Justice
- H. Jackie Johnson v. Personnel Cabinet
- I. David Kidd v. Personnel Cabinet
- J. Lyman Morris v. Cabinet for Health and Family Services
- K. Winifred O’Conner v. Department of Juvenile Justice
- L. Christine Riley v. Personnel Cabinet
- M. Joseph Tucker v. Personnel Cabinet (2 appeals)
- N. Alisha Ward v. Personnel Cabinet
- *** O. Rebecca Biven v. Personnel Cabinet

11. Settlements

- A. Jennifer Lunsford v. Finance and Administration Cabinet
- B. Sheri Wright v. Cabinet for Health and Family Services
- *** C. Matthew Long v. Department of Parks

12. Other

- A. Approval of Annual Report
- B. Possible changing of the June Board meeting date